

REMARKS

Claim amendments following Examiner's suggestions

Applicant gratefully acknowledges the Interview conducted with the Examiner on June 17, 2010. In the Interview, the Examiner suggested amendments to narrow the independent claims. The Applicant expressed his opinion that the claims filed in the previous response received in the USPTO on March 9, 2010 were patentable, for reasons argued therein and summarized below. However, in order to expedite allowance, Applicant hereby follows the Examiner's suggestion and amends the independent claims 1, 21, 27, 33 and 45 to include limitations previously recited in one or more dependent claims, thereby narrowing their scope.

The claims are amended as follows:

Claim 1 is amended to include the limitations of claim 3. Claim 3 is cancelled.

Claim 21 is amended to include the limitations of claim 22. Claim 22 is cancelled.

Claim 27 is amended to include the limitations of claims 28 and 29. Claims 28 and 29 are cancelled.

Claim 33 is amended to include the limitations of claim 34. Claim 34 is cancelled.

Claim 45 is amended to include the limitations of claim 50. Claim 50 is cancelled.

Additional minor amendments to correct typographical errors or dependencies are made in claims 9, 23, 30 and 46-49. Independent claim 36 is left unchanged from a previously presented version.

Issues discussed in the Interview

In the Interview, Applicant discussed with the Examiner and emphasized the point that the invention as claimed is focused on two major features, both implemented in non-Internet Protocol (IP) based networks (for example circuit-switched networks, both wire-line and cellular), i.e. in networks that do not include or use any IP component. The two major features are essentially simultaneous reception and transmission ("streaming") of at least one voice fragment (claim sets starting with independent claims 1, 21, 33 and 36) and instant retrieval of

a particular voice message by sending a smart notification and directly accessing the particular voice message using the smart notification (claim sets starting with independent claims 27 and 45). As argued in the previous response received in the USPTO on March 9, 2010, the language "non-IP based network" in the claims means a network "that does not use, does not rely on and does not include an Internet protocol, for example a PSTN or PLMN system". Support for this argument may be found throughout the specification and drawings, for example in paragraph [0050] of the published application, which reads:

"The present invention is suitable for implementation with all cellular technologies as well as with wire-line telephony technologies. In contrast with existing methods, the present invention uses preferably circuit switched networks for its instant voice messaging service, thereby providing a high quality of the transmitted voice" (emphasis added).

One embodiment of the invention is described in paragraph 0063 as follows:

"FIG. 1a shows a schematic block diagram of a basic preferred embodiment of an instant voice messaging system 100 according to the present invention. The system comprises an initiating end-user device ("initiating user") 102 coupled through a telephony or VoIP switch 104 to an instant voice messaging (IVM) server 106 installed in a telephony (cellular or wire-line) or VoIP network 108." (emphasis added).

Clearly, the "or" which appears in numerous places in the specification in the context of telephony or IP based networks indicates that one or more embodiments do not use any IP component. These were the embodiments claimed in the claims submitted with the response to the previous, non-final OA.

Applicant has further discussed with the Examiner the feature of instant voice mail retrieval, which is clearly defined and described in various places in the specification and drawings, in particular in the description of FIGS. 2d and 2e, see e.g. paragraph 0085 which defines the meaning of "direct accessing" of a particular message and "direct dialing" of this message, terms used in claims 27 and 45. From the description it is clear that "direct" means "no scrolling and no looking for the particular message among a plurality of messages". Therefore, the use of Amin et al. (US 6418307) as reference in the §103 rejection of these claims is clearly unwarranted, because Amin always uses scrolling to

reach a particular message among a plurality of messages and therefore does not perform "direct" accessing of the particular message as defined in the present invention.

In view of the above amendments and remarks it is respectfully submitted that claims 1-2, 4-21, 23-27, 30-33, 35-49 are in condition for allowance. Prompt notice of allowance is respectfully and earnestly solicited.

Respectfully submitted,

/MN/

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